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February 10, 2014

Via Email (at scc.chambers@nysb.uscourts.gov)

The Honorable Shelley C. Chapman,
United States Bankruptcy Judge,
United States Bankruptcy Court for the Southern District of New York,
One Bowling Green, Courtroom 621,
New York, New York 10004.

Re: *In re Lehman Brothers Holdings Inc., et al.*, Index No. 13555/08
(Bankr. S.D.N.Y.) (SCC) (Claim Nos. 14824 and 14826)

Dear Judge Chapman:

Pursuant to Local Rule 7056-1(a), we write on behalf of Claimants Canary Wharf Management Ltd., Heron Quays (HQ2) T1 Limited and Heron Quays (HQ2) T2 Limited (“Canary Wharf”) to request a pre-motion conference concerning Canary Wharf’s plan, if approved by the Court, to move for summary judgment as to liability. We have conferred with counsel for Lehman Brothers Holdings Inc. (“LBHI”), and all parties are available for a conference on February 20 or 25 (preferably midday, if convenient for the Court).

By way of background, Canary Wharf filed the above-referenced claims (the “Claims”) against LBHI in September 2009, and the parties agreed in a 2011 stipulation to reduce the Claims to a maximum of approximately \$780 million. LBHI filed an objection to the Claims in August 2012. Following a March 2013 stipulation to bifurcate proceedings into liability and damages phases, the parties completed fact and expert discovery on liability in September 2013. After a mediation on January 9, 2014 concluded without resolution, the parties conferred on a schedule for further litigation. Canary Wharf informed LBHI that it would seek to move for summary judgment, and the parties agreed to a briefing schedule for such a motion (set forth below) subject to the Court’s approval.

At issue in the Claims is the scope of LBHI’s obligations under a 2005 lease (governed by English law) for a Canary Wharf office building in London, England. Canary Wharf’s motion for summary judgment would address the question of whether the terms of that lease require LBHI to indemnify Canary Wharf for its losses.

The Honorable Shelley C. Chapman

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If acceptable to the Court, the parties have agreed that Canary Wharf would file its motion on March 14, LBHI would file its opposition papers on May 2, and Canary Wharf would file a reply on May 23. The parties would be prepared for oral argument at a date convenient to the Court after the conclusion of briefing.

We look forward to discussing this matter with the Court.

Respectfully,



David B. Tulchin

cc: Peter D. Isakoff (Weil, Gotshal & Manges LLP)
Dennis F. Dunne (Milbank, Tweed, Hadley & McCloy LLP)